

The PTO rightly recognizes that Zdnet does not disclose or suggest the subject matter of present claim 1. However, applicants must point out that the "controlling" function allegedly taught by Zdnet in the next-to-last paragraph of the cited reference does not in any way suggest the control means presently recited. Zdnet states that the "new security features in version 1.5 [of its GoodLink application] **allows IT managers** to remotely erase data in case a device is lost." (Emphasis added.) The erasure operation is thus performed by a human user (an IT manager) remote from the lost device, rather than by any control means that itself comprises an element of a computer (lost or otherwise).

The secondary Cpa reference does not provide the teachings, absent from Zdnet, that would have led a routinier to the subject matter of claim 1. Cpa states in pertinent part: "In addition, global positioning satellite (GPS) technology can make a laptop easier to find." At most, therefore, Cpa teaches that use of position determining means, such as GPS technology, can assist in recovery efforts once a computer is lost. Cpa is silent concerning the use of position determining means for any other purpose. In particular, Cpa fails to suggest using GPS technology, or any other position determining means, to provide location information to any element *forming a part of the lost computer itself*, let alone to control means that control the operation of the computer in response to such information. Therefore, the proposed combination of Zdnet with Cpa is incapable of having rendered obvious the subject matter of present independent claim 1, or any claim dependent thereon. Withdrawal of the §103(a) rejection on this basis is respectfully requested.

By the same token, with respect to claim 2, although Cpa suggests the use of GPS technology to facilitate recovery of a lost computer, the reference does not suggest use of GPS technology that provides location information to control means that itself forms part of the lost computer itself.

Neither Cpa nor Zdnet appear to disclose, suggest or even consider the use of an accelerometer as part of position determining means that constitutes an element of a computer. Claim 3 must therefore be considered patentably distinct from the cited references for this additional reason.

As shown above, Zdnet does not describe or suggest any control means that itself comprises an element of a computer, and thus does not suggest the invention defined by claim 1, nor that defined by claim 4 dependent thereon. But even assuming *arguendo* that Zdnet included such a suggestion, Zdnet's description of data erasure does not constitute a suggestion to prevent the operation of the computer's processor. Still less does Zdnet suggest preventing operation of a

computer's processor when the location of the computer is "outside of a preselected area," as recited in claim 4. Zdnet in fact does not even contemplate a "preselected area" for any reason. Cpa similarly fails to make any suggestion pertinent to preselected areas of operation. Claim 4 therefore is not rendered obvious by the cited references for these additional reasons.

With respect to claims 5 and 6, although computers considered by Zdnet and/or Cpa may include hard drives, this fact in no way compensates for the failure of the cited references to disclose or suggest the position determining and control means included in these claims. Further with respect to claim 6, nothing in Zdnet's discussion of data erasure suggests control means which prevents operation of a hard drive. Claims 5 and 6 thus are patentably distinguished for these additional reasons. As to claim 7, Zdnet does suggest remote data erasure, as discussed previously, but only in the context of erasure by an IT manager, rather than by operation of control means within the computer itself in response to position location information provided by position determining means that are also part of the computer itself. The cited references therefore fail to render obvious the invention defined by claim 7.

With respect to claims 8 and 9, the PTO is heard to state that the use of alarms is well-known, and thus that adding an alarm to the teachings of Zdnet and Cpa would have rendered the inventions of claims 8 and 9 obvious. The inadequacies of Zdnet and Cpa, discussed in connection with independent claim 1, apply as well to claims 8 and 9. Adding an alarm to the combined references could not have overcome these inadequacies. Furthermore with respect to claim 9, as with claims 6 and 7 above, neither Zdnet, Cpa nor the prior use of alarms suggests including in a computer control means that activates an alarm when position determining means provide the control means with information indicating that the computer is outside a preselected area. Claim 9 is therefore unobvious for these additional reasons.

Similar reasoning reveals that claims 10-14 are not rendered obvious by the teachings of Zdnet, Cpa and the use of identification means. More specifically with respect to claim 11, the proposed combination fails to suggest the combination in a computer of a processor, control means, position determining means and identification means in the relationship specified by the claim. Nor does the proposed combination suggest a computer in which control means prevents operation of the processor, as recited in claim 14. In the same vein, claims 15-19 are not suggested by the cited combination of prior art teachings. Finally, claim 20 is not suggested by the cited art for reasons similar to those set forth in connection with claim 1.

In view of the foregoing remarks, it is submitted that all present claims are in condition for allowance. Should the Examiner have any questions, he is invited to contact the undersigned at the telephone number indicated.

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Date

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Respectfully submitted,

A handwritten signature in black ink, reading "Michael M. Gerardi". The signature is written in a cursive, flowing style with a horizontal line underneath the name.

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